(2)

005

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G)

W.P.No. 91 **/2006** Single Bench

PETITIONER NARSINGH DELL

Narsigh Prasad Sidar S/o Late Shri Sant Ram Sidar. Aged about 30 years R/o Village Basanpali & P.O. Putkapuri , Tah. & Distt. Raigarh (C.G.)

P.R. No. 95/06
Presented by Shri D.R.Nair
dated 6/1/06

VERSUS

RESPONDENTS

1. The State of Chhattisgarh Through the Secretary School Education Department, D.K.S. Bhawan, Raipur. (C.G.)
2. State of Madhya Prasdesh Through – Secretary School Education Department, Vallabha Bhawan Bhopal (M.P.)
3. Collector Janjgir Champa (Chhattisgarh)
4. District Education Officer, Janjgir Champa (C.G.)
5. Union of India
   Through – Director ,
   personnel training ,
   public grievance &
   Pension (State
   Reorganisation Cell)
   Loknayak Bhavan ,
   Khan Market New Dehli.

R/C
6-1-06
for THAKUR VIJAY SINGH
Asst. Solicitor General of India
CHHATTISGARH HIGH COURT
High Court Campus, Bilaspur (C.G.)

6.1.06

OATH COMMISSIONER
ARCHNA
MADHYA
CG-29/2006
04/01/06
BILASPUR (CHHATTISGARH)

(5)

006

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

023

आदेश पत्रक

W-P-NO-91/06

मामला क्रमांक ..... सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

9-1-2006

Petitioner by Shri Sanjay Patel, Advocate.
Shri S.P. Kale, Panel Lawyer, for the State.
Shri S.K. Beriwal, Sr. Panel Lawyer for the Union of India.
With consent, heard finally.

This case relates to compassionate appointment consequent upon the death of a employee serving in the State.

Learned counsel for the petitioner categorically stated that in this case, the death the employee has occurred on 2-7-2000 i.e. after 1-11-1997 and not earlier. It is furth submitted that in batch of cases bearing W.P. No.1322/2002 involving the same questic orders have been passed by this Court on 20/12/2005. He prays that similar orders may b passed in this case also.

Learned counsel for the State does not dispute the above fact and state that the Stat of Chhattisgarh has taken a decision to consider the cases of dependants of thos employees who died on or after 1/11/1997 strictly in accordance with the policy prevalent a that time.

In view of the submissions made by learned counsel appearing for the parties without expressing any opinion on the merits of the case, in the opinion of this Court, ends o justice will be served if a direction is given to the State of Chhattisgarh and the authoritie concerned to consider and decide the case of the petitioner in accordance with the polic prevalent at the time of death of the employee concerned. If the petitioner found eligible appointment orders will be issued as early as possible on or before 30th April, 2006. Th petitioner is also directed to render due co-operation to the authorities. It is made clear that any grievance still remains, the petitioner may avail the remedy available under the la including filing of the petition before this Court.

With the aforesaid observations, this petition stands disposed of.
Certified copy as per rules.
Copy to the State counsel, who will be obliged to communicate the order to th respondents for compliance.

Sd/-
Fakhruddin
Judge

20/1/06 P/-